



Town of Fairhaven

Massachusetts

40 Center Street  
Fairhaven, MA 02719

Tel: (508) 979-4023

Fax: (508) 979-4079

selectmen@Fairhaven-MA.gov

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TOWN CLERK

2019 OCT -8 A 11: 30

**GRIEVANCE PROCEDURE UNDER  
THE AMERICANS WITH  
DISABILITIES ACT**

FAIRHAVEN,  
MASS.

This Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act of 1990 ("ADA"). This may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits by the Town of Fairhaven.

The Town of Fairhaven's Personnel Policy governs employment-related complaints of disability discrimination. The complaint should be in writing and contain information about the alleged discrimination such as name, address, phone number of complainant and location, date, and description of the problem. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint, will be made available for persons with disabilities upon request.

The complaint should be submitted by the grievant and/or his/her designee as soon as possible but no later than 60 calendar days after the alleged violation to: The Town Administrator, Town of Fairhaven, 40 Center Street, Fairhaven, MA 02719.

Within 15 calendar days after receipt of the complaint, The Town Administrator or his or her designee will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting, The Town Administrator or his or her designee will respond in writing, and where appropriate, in a format accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the position of the Town of Fairhaven and offer options for substantive resolution of the complaint.

If the response by The Town Administrator or his or her designee does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision within 15 calendar days after receipt of the response to the Fairhaven Board of Selectmen or their designee.

Within 15 calendar days after receipt of the appeal, the Board of Selectmen or their designee will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the Board of Selectmen or their designee will respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

All written complaints received by The Town Administrator or his or her designee, appeals to the Fairhaven Board of Selectmen or their designee, and responses from these two offices will be retained by the Town Clerk for at least three years.

Approved by vote of the Board of Selectmen on October 7, 2019



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## PUBLIC NOTICE

In accordance with the requirements of title II of the Americans with Disabilities Act of 1990 ("ADA"), the Town of Fairhaven will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities.

**Employment:** Town of Fairhaven does not discriminate on the basis of disability in its hiring or employment practices and complies with all regulations promulgated by the U.S. Equal Employment Opportunity Commission under title I of the ADA.

**Effective Communication:** Town of Fairhaven will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in Town of Fairhaven programs, services, and activities, including qualified sign language interpreters, documents in Braille, and other ways of making information and communications accessible to people who have speech, hearing, or vision impairments.

**Modifications to Policies and Procedures:** Town of Fairhaven will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of its programs, services, and activities. For example, individuals with service animals are welcomed in Town of Fairhaven offices, even where pets are generally prohibited.

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of the Town of Fairhaven, should contact the office of the Town Administrator as soon as possible but no later than 48 hours before the scheduled event.

The ADA does not require the Town of Fairhaven to take any action that would fundamentally alter the nature of its programs or services, or impose an undue financial or administrative burden. Complaints that a program, service, or activity of Town of Fairhaven is not accessible to persons with disabilities should be directed to the Town Administrator.

The Town of Fairhaven will not place a surcharge on a particular individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary aids/services or reasonable modifications of policy, such as retrieving items from locations that are open to the public but are not accessible to persons who use wheelchairs.

Approved by vote of the Board of Selectmen on October 7, 2019